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*Pro Hac Vice Applications To Be Submitted*  
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Attorneys for Specially Appearing  
Defendants **BODOG ENTERTAINMENT**  
**GROUP S.A.**, and erroneously named  
Specially Appearing Defendants  
**BODOG.NET** and **BODOG.COM**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

1ST TECHNOLOGY LLC,  
Plaintiff,  
vs.

RATIONAL ENTERPRISES LTDA.,  
RATIONAL POKER SCHOOL LIMITED,  
BODOG ENTERTAINMENT GROUP S.A.,  
BODOG.NET, BODOG.COM, AND  
FUTUREBET SYSTEMS LTD.,

Defendants.

Case No: 2:06-cv-1110-RLH-GWF

**DEFENDANT'S EVIDENTIARY  
OBJECTIONS TO PLAINTIFF'S EXHIBIT  
3, FINDARTICLES.COM ARTICLE  
ENTITLED "UPDATE: BODOG USES  
OFFSHORE STATUS TO EVADE U.S.  
LAWSUIT, ACCORDING TO BLUEMOON  
ENTERTAINMENT"**

**Date: October 11, 2007  
Time: 9:00 a.m.  
Courtroom: 6C**

1 Specially appearing defendants, Bodog Entertainment Group S.A. (Costa Rica), Bodog.net,  
2 and Bodog.com (“Defendants”) (who challenge jurisdiction), hereby submit the following  
3 objections to Exhibit 3, submitted in support of 1<sup>st</sup> Technology LLC’s Response to Motion to Set  
4 Aside Default Judgment.

5 Defendant objects to the admissibility of Exhibit 3, a copy of an article entitled “Bodog  
6 Uses Offshore Status to Evade U.S. Lawsuit, According to Bluemoon Entertainment.” The article  
7 is inadmissible because (1) it is irrelevant, (2) is inadmissible hearsay, and (3) its probative value is  
8 substantially outweighed by the risk of unfair prejudice, confusion of the issues, undue delay, and  
9 waste of time.

- 10 1. The article is irrelevant because it provides no information that is relevant to the underlying  
11 cause of action for patent infringement or the jurisdictional issues raised in Defendant’s  
12 motion to set aside. The article lacks any logical connection to the central matter in this  
13 case: the elements of patent infringement contained in 18 U.S.C. § 271 (“Infringement of  
14 Patent”). Likewise, there is no information in the article that suggests one way or the other  
15 whether the Defendant was properly served process—the subject of the underlying Motion  
16 to Set Aside.
- 17 2. The article is inadmissible hearsay because it is based on out of court statements by the  
18 author of the article and the lawyers who were quoted therein (FRE 801). Plaintiff is  
19 presumably offering these statements to prove the truth of the matters asserted in the article.  
20 Thus, Exhibit 3 should be excluded under FRE 802.
- 21 3. The article is inadmissible under FRE 403 because its probative value—if there is any—is  
22 substantially outweighed by the danger of unfair prejudice, confusion of the issues, and  
23 considerations of undue delay and waste of time. The article creates a substantial risk of  
24 unfair prejudice because it unfairly and negatively portrays Defendant’s offshore status. For  
25 this reason, the article risks undue delay and waste of time because the information it  
26  
27  
28

contains bears no relationship at all to the legal issues presented in this case—patent infringement and proper service of process.

Dated: October 1, 2007

By: /s/ Charles McCrea

Charles McCrea

**LIONEL SAWYER & COLLINS**

Attorneys for Specially Appearing Defendants

**BODOG ENTERTAINMENT GROUP S.A.**, and  
erroneously named Specially Appearing Defendants  
**BODOG.NET** and **BODOG.COM**